

Appl. No. : 09/764,523
Filed : January 18, 2001

REMARKS

Replacement of Previous Amendment and Response to Final Office Action

An amendment and response to final office action was filed December 18, 2003. This replacement is being filed to correct an error in that document. The phrase "after conducting a CVD reaction and prior to supplying activated species" was inadvertently left out of independent Claim 39 in the previous response to the final office action. This error has been corrected in this document.

Allowable Subject Matter

Applicants note with appreciation the allowance of the subject matter of Claim 39. Claim 39 has been rewritten in independent form and the dependency of Claim 40 has been amended. Additionally, claims depending on newly independent Claim 39 have been added. Applicants submit the added dependent Claims 46-50 correspond to previously pending Claims 34-37 and 45, respectively and thus introduce no new issues. Accordingly, Applicants request entry and allowance of these claims.

Rejections under 35 U.S.C. § 102(b)

Claims 33-35, 37-38, 40 and 45 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,788,778 (Shang et al.).

Applicants respectfully traverse the rejections and submit that Shang et al. does not teach each and every feature of independent Claim 33. Specifically, Shang et al. does not disclose the etch rate of greater than or equal to about 2.0 microns/minute in combination with the other claim limitations.

However, in view of the amendments herein, canceling rejected Claims 33-38 and 41-45, Applicants submit that the rejections are moot. Claim 40 has been amended and Claims 46-50 have been added to depend from allowable Claim 39. Applicants reserve the right to pursue claims of a similar scope in continuing applications.

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CONCLUSIONS

In view of the foregoing amendments and remarks, Applicants respectfully request entry of the amendments, submit that the claims are in condition for allowance and request the same. If, however, some issue remains that the Examiner feels can be addressed by Examiner Amendment, the Examiner is cordially invited to call the undersigned for authorization.

Respectfully submitted,

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